

FILED

'04 DEC 30 AM 11: 09

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

In re FIRSTENERGY CORPORATION
SECURITIES LITIGATION

This Document Relates To:

ALL ACTIONS.

) Master File No. 5:03-CV-1684

) Judge James S. Gwin

) DATE: December 17, 2004

) TIME: 9:00 a.m.

) COURTROOM: The Honorable
James S. Gwin

ORDER AWARDING LEAD CLASS PLAINTIFFS' COUNSEL'S
ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES

30

This matter having come before the Court on December 17, 2004, on the application of counsel for the Lead Class Plaintiffs for an award of attorneys' fees and reimbursement of expenses incurred in this Litigation, the Court, having considered all papers filed and proceedings conducted herein, having found the settlement of this action to be fair, reasonable and adequate and otherwise being fully informed in the premises and good cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. All of the capitalized terms used herein shall have the same meanings as set forth in the Stipulation and Agreement of Settlement dated as of July 27, 2004 (the "Stipulation").
2. This Court has jurisdiction over the subject matter of this Application and all matters relating thereto, including all Members of the Class who have not timely and validly requested exclusion.
3. The Court hereby awards plaintiffs' counsel in the Class Action attorneys' fees of ^{and expenses} ~~24.5%~~ ^{23%} of the Class Settlement Amount, ~~and reimbursement of expenses in the amount of~~ ~~\$792,050.11~~ together with the interest earned thereon for the same time period and at the same rate as that earned on the Class Settlement Amount until paid. Said fees and expenses shall be allocated among plaintiffs' counsel in the Litigation in a manner which, in Class Plaintiffs' Counsel's good faith judgment, reflects each such counsel's contribution to the institution, prosecution and resolution of the Class Action. The Court finds that the amount of fees awarded is fair and reasonable under the "percentage-of-recovery" method.
4. Pursuant to 15 U.S.C. §78u-4(a)(4), the Court awards \$4,892.60 and \$1,920.00 to the Central Laborers' Pension Fund and The City of Sterling Heights via General Employees Retirement System, respectively.

5. The awarded attorneys' fees and expenses and reimbursement shall be paid to Class Plaintiffs' Counsel subject to the terms, conditions and obligations of the Stipulation and in particular ¶6.2 thereof, which terms, conditions and obligations are incorporated herein.

IT IS SO ORDERED.

DATED:

12/30/04



THE HONORABLE JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

S:\Settlement\First Energy.set\ORD00015732.doc